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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/614,572	07/12/2000	Ian N. Robb	TREES-55071	2222

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EXAMINER

CHANG, JUNGWON

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 02/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/614,572

Applicant(s)

ROBB ET AL.

Examiner

Jungwon Chang

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 03 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. Claims 1, 2, 4, 10-13, 18, 25 and 29-31 are amended, and claims 1-32 are presented for examination.
2. The text of those sections of Title 35, U.S. Code not included in this office action can be found in a prior office action.
3. Claims 1-8, 13-21 and 24-32 are rejected under 35 U.S.C. 103(a) as being anticipated by Kumar et al. (US 6,448,980 B1), hereinafter Kumar, further in view of Briggs et al. (US 6,634,949 B1), hereinafter Briggs.
4. As to claims 1, 13, 18 and 25, Kumar discloses the invention substantially as claimed, including in an information network having at least one character-enabled network site (col. 3, lines 16-25), a method of presenting data to a network user based on choices made by the user while within a character-enabled network site (col. 3, lines 26-58), said method comprising the steps of:  
  
creating a character having a plurality of attributes (col. 2, lines 2-9), each attribute selected by the user from a plurality of attributes presented to the user through a user interface (208, fig. 2A) to create a persona for the character (col. 1, lines 57-62; col. 2, lines 21-28 and 65-67), each attribute defined by at least one of either audio data and visual image data (col. 3, lines 55-58); and

providing to the user interface, at least one of either an audio presentation and a visual image presentation (112, 114, fig. 1) selected from a plurality of presentations based on the persona of the character created (col. 3, lines 55-58; col. 1, lines 21-25; col. 2, lines 42-45).

5. Kumar does not specifically disclose presenting to the user interface a presentation of the created character including the data associated with the selected attributes defining the persona of the character. Briggs discloses presenting to the user interface a presentation of the created character (col. 19, lines 48-57; col. 20, lines 42-44) including the data associated with the selected attributes defining the persona of the character (col. 3, lines 30-43; col. 12, lines 28-42; col. 17, lines 6-16). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kumar and Briggs because Briggs's presentation of the created character would improve the analysis of character creation by allowing the user to modify the created character in different way by selecting another attributes.

6. As to claim 2, Kumar discloses each attribute comprises at least one of a physical characteristic, emotional characteristic and personal interest of the character (col. 5, lines 9-14).

7. As to claims 3 and 7, Kumar discloses storing persona data indicative of the selected attributes (col. 5, lines 14-17).

8. As to claim 4, Kumar discloses storing the persona data in a database such that the character may be recreated for future use (col. 5, lines 12-14).

9. As to claims 5, 6 and 8, Kumar discloses the plurality of presentations comprises at least one of either a visual image displayed on the user interface and sound heard through the user interface (112, 114, fig. 1; col. 1, lines 21-25; col. 2, lines 42-45 col. 3, lines 55-58).

10. As to claims 9-12, Kumar does not specifically disclose information network comprises a plurality of other character-enabled network sites; and user accesses another character-enabled network site. However, Kumar discloses Internet (201, fig. 2B). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include network such as Internet because doing so would allows to connect multiple computers together such that the users of computers access the same information and share data.

11. As to claims 29 and 30, they are rejected for the same reasons set forth in claims 1, 13, 18 and 25 above. In addition, Kumar discloses storing at least one of either audio data and visual image data of a plurality of characters, each character having at least one associated modifiable attribute (col. 5, lines 4-32); presenting the plurality of characters to the user through the user interface (208, fig. 2A) for selection by the user (col. 2, lines 21-28 and 65-67; col. 3, lines 52-58).

12. As to claim 31, it is rejected for the same reasons set forth in claims 1, 13, 18, 25, 29 and 30 above. Kumar does not specifically disclose sharing data among network users. However, Kumar discloses Internet (201, fig. 2B). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include sharing data among network users because Internet is well known as a network that allows multiple computers to connect together such that the users of computers access the same information and share data.

13. As to claim 32, Kumar discloses updating the character profile (col. 5, lines 33-50; col. 10, lines 48-59).

14. As to claims 14, 17, 19, 24 and 26, they are rejected for the same reasons set forth in claims 3 and 7 above.

15. As to claims 15, 16, 20, 21, 27 and 28, they are rejected for the same reasons set forth in claims 5 and 6 above.

16. As to claims 22 and 23, they are rejected for the same reasons set forth in claims 9-12 above.

17. Applicant's arguments with respect to claims 1-32 have been considered but are moot in view of the new ground(s) of rejection.

18. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jungwon Chang whose telephone number is (703)305-9669. The examiner can normally be reached on 9:30-6:00 (Monday-Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (703)308-9052. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-9669.

  
ZARNI MAUNG  
PRIMARY EXAMINER